

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

DEREK A. RICHARDSON	§	
VS.	§	CIVIL ACTION NO. 1:22-CV-212
BRYAN COLLIER, ET AL.	§	

## ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Derek A. Richardson, a prisoner confined at the LeBlanc Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends denying Plaintiff's motion for leave to proceed *in forma pauperis*.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and the pleadings. Plaintiff filed objections to the Magistrate Judge's Report and Recommendation.

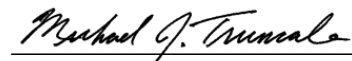
The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration of all the pleadings and the relevant case law, the Court concludes that Plaintiff's objections lack merit.

ORDER

Accordingly, Plaintiff's objections [Dkt. 15] are OVERRULED. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge

[Dkt. 11] is ADOPTED. Plaintiff's motion for leave to proceed *in forma pauperis* [Dkt. 4] is DENIED. Plaintiff shall pay the \$402.00 filing fee within thirty days of this order. Plaintiff's failure to pay the filing fee may result in this action being dismissed for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

**SIGNED** this 1st day of July, 2022.

A handwritten signature in black ink, reading "Michael J. Truncala", written over a horizontal line.

Michael J. Truncala  
United States District Judge